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Report of the Secretary-General

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LIBYAN ARAB JAMAHIRIYA

[Original: Arabic]

[13 April 1995]

Interpretation by the Libyan Arab Jamahiriya of Article X, paragraph 2, of the Treaty on the Non-Proliferation of Nuclear Weapons submitted in conformity with paragraph 2 of General Assembly resolution 49/75 F

The Libyan Arab Jamahiriya supports the working paper submitted by the Group of Non-Aligned and Other States entitled "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons: Options and Action Available" contained in document NPT/CONF.1995/PC.IV/4. The Libyan Arab Jamahiriya would like to make it clear that its legal interpretation of article X, paragraph 2, of that Treaty is that the Conference of the Parties to the Treaty, to be held in New York from 17 April to 12 May 1995 in order to decide upon the extension of the Treaty, has the following three options:

(a) Indefinite extension;

(b) Extension for an additional fixed period;

(c) Extension for additional fixed periods.

It has been determined that the eventual decision of the Conference shall be taken by a majority of the Parties to the Treaty, since it will otherwise conflict with article X, paragraph 2, of the Treaty, which is unambiguous. We have no need to resort to interpretations which conflict with the text, but should deal with the matter in the framework of respect for the wishes of the parties to the Treaty and concern for their interests, in order to ensure the fulfilment of the purposes set out in the preamble and implement the provisions of article VI of the Treaty.

During their forthcoming Conference, the States parties to the Treaty must negotiate in good faith and make every possible effort to achieve the aims of the Treaty, while respecting the national security interests of each party.

Should it appear to them, as is in fact very likely, that an indefinite extension of the Treaty is not possible at the present time, since the purposes paving the way to such an extension have not been achieved, the Conference may take the measures at its disposal to arrange a temporary extension, leaving the door open for an indefinite extension once the necessary preparations have been made.